

Early Years Privacy Notice

Local Authority use of personal data in relation to the Early Years Census and the Free Early Education Entitlement

The **Local Authority (LA)** receives information about children attending early years settings as part of the annual Early Years Census and the Free Early Education Entitlement headcounts.

Essex County Council holds this personal data and uses it to:

- support children's learning and development
- calculate the amount of free early education entitlement funding to be allocated to each setting
- inform decisions about funding allocations for the LA's early years provision
- carry out its other statutory functions such as the assessment of any special educational needs a child may have.

It also uses the information to derive statistics on, for example, the number of additional early years places that will be required to meet future demand. The statistics are used in such a way that individual children cannot be identified.

Essex County Council handles information in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998, and is the data controller for the purposes of the Data Protection Act 1998.

Access to information is conducted on a strictly need to know basis. Information is held securely and confidentially. Where information is shared this will be done in an appropriate secure manner.

What the Department for Education (DfE) does with pupils' and children's data

The Department for Education collects pupil information from schools, local authorities and awarding bodies, who provide accreditation for the National Qualifications Framework, as set out in section 537A of the Education Act 1996 and the regulations made under it. This data is held on the National Pupil Database.

If you have any questions about the data, please [contact the Department](#).

The National Pupil Database

There is a range of data held on the National Pupil Database, which provides detailed information, at individual pupil level, about children's education at different stages (pre-school, primary and secondary education and further education).

The National Pupil Database includes detailed information about pupils' test and exam results, prior attainment and progression at different key stages for all schools in the state sector in England. Attainment data is also held for pupils and students in non-maintained special schools, sixth form and Further Education (FE) colleges and (where available) independent schools.

The National Pupil Database also includes further information about pupils in the state sector and non-maintained special schools such as gender, ethnicity, first language, eligibility for free school meals, information about special educational needs (SEN) and detailed information about pupil absence and exclusions.

What is the National Pupil Database used for?

The National Pupil Database forms a significant part of the education evidence base and supports a number of key priorities around school accountability and school improvement.

- It supports schools' operational decisions by enabling schools and inspectors to interrogate test and examination results in order to identify strengths and weaknesses and help them focus on those areas that need most improvement, including lesson planning and support for individual pupils.
- It is the source for a wide range of analysis and statistics published in Statistical First Releases (SFRs) on the Department's website. For example, each year the Department publishes information about National Curriculum assessment and GCSE attainment by key pupil characteristics such as ethnic group, special educational needs status and free school meals eligibility in England.

- The Department uses the data to provide accurate targeting of funding for local authorities and schools, including the Pupil Premium and Revenue Support Grant. The data and statistical analyses are also used to inform, influence and improve education policy and to monitor the performance of the education service as a whole.
- The data held in the National Pupil Database is also used in a wide range of research including being linked, with consent, to external datasets.

Who can the Department share the data with?

The Department will not disclose pupils' information without consent unless the law allows us to do so, and it is in compliance with the Data Protection Act.

The law allows us to share pupil data from the National Pupil Database with certain third parties including schools, local authorities, other government departments and agencies under the Education (Individual Pupil Information) (Prescribed Persons) (England) Regulations 2009.

These regulations also allow the Department to disclose individual pupil information, subject to the Data Protection Act 1998, to named bodies and third parties who require access to the data to undertake research into the educational achievements of pupils. Access is subject to requesters complying with terms and conditions imposed under contractual arrangements and a rigorous request approval process.

Selected data from the National Pupil Database may also be shared with the Office for National Statistics for the development of population and migration statistics and electoral registration officers to assist them in the development of electoral registers.

Pupils have certain rights under the Data Protection Act, which includes a general right of access to their personal data.

A parent can exercise this right on their behalf if the pupil does not have the necessary maturity to make/understand such a request or the personal data in question. The Department, however, only holds data on the National Pupil Database that is supplied by the third parties mentioned above.

If you wish to access your or your child's personal data, please contact:

Contact details

Public Enquiry Unit - DfE
 Telephone: 0370 000 2288
 Fax: 01928 794 248
 Email: info@education.gsi.gov.uk